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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,208	10/23/2001	Koby Finkelstein	ZRI-032	2268
1473	7590	10/05/2004	EXAMINER	
FISH & NEAVE 1251 AVENUE OF THE AMERICAS 50TH FLOOR NEW YORK, NY 10020-1105			TRAN, THANG V	
			ART UNIT	PAPER NUMBER
			2653	

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/045,208

Applicant(s)

FINKELSTEIN ET AL.

Examiner

Thang V. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 31-38 is/are allowed.
- 6) ☒ Claim(s) 1-4, 10-14 and 21-24 is/are rejected.
- 7) ☒ Claim(s) 5-9, 15-20 and 25-30 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 10-14, 21-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Alon. (US 5,959,953).

Alon, according to Figs. 1-8, shows an optical pickup comprising all features of the instant claimed invention as interpreted below.

Regarding claims 1 and 11, see Fig. 2 which shows a reproducing apparatus for simultaneously reading multiple adjacent tracks of an optical disk comprising: a device (laser diode and grating in pickup 32) for generating a plurality of reading beams (see beams 80-86) in Figs. 6A-6C) including a center beam (80); an optical system (32) disposed in a path of the plurality of reading beams for directing the plurality of reading beams onto a surface of the optical disk; a plurality of split photodetector elements (see elements 50-56 in Fig. 3A, 3B or 3C) including a center element (50) and a plurality of side elements, the center element generating an output signal corresponding to the center beam, at least one of the plurality of side elements generating an output signal for a corresponding one of the plurality of reading beams (see Fig. 4) ; and a cross-talk cancellation apparatus (33) that reduces cross-talk and jitter (see Figs. 7 or 8 for the details of the cancellation 33), as recited in apparatus claim 1 and corresponding functional method claim 11.

Regarding claims 2 and 12, see detector 50 in Fig. 3A, 3B or 3C.

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Regarding claims 3 and 13, see detectors 51, 52, 55 and 56 in Fig. 3A, 3B or 3C.

Regarding claims 4 and 14, see column 7, line 56 to column 8, line 8.

Regarding claim 10, see pickup (32) incorporated into a disk drive as shown in Fig. 3

Regarding claim 21, see Fig. 3A-3C which show a detector for a multi-beam optical disk system, the detector comprising a plurality of split photodetector elements (50-56) including a center detector element(50) and a plurality of side elements (51-56), at least two of the side elements (55 and 56) divided into a first and a second photodetector segment, and the split photodetector elements used to reduce cross-talk in the multi-beam optical disk by circuit shown in Fig. 7 or 8.

Regarding claim 22, see detector 50 in Fig. 3A, 3B or 3C.

Regarding claim 23, see detectors 51, 52, 55 and 56 in Fig. 3A, 3B or 3C.

Regarding claim 24, see column 7, line 56 to column 8, line 8.

Regarding claim 25, see pickup (32) incorporated into a disk drive as shown in Fig. 3

Allowable Subject Matter

3. Claims 5-9, 15-20 and 25-30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claims 31-38 are allowed.

5. Claims 5-9, 15-20 and 25-38 are allowable over the prior art of record because the prior art of record, considered in combination or individually, fails to suggest or fairly teach an apparatus or method for simultaneously reading multiple adjacent tracks of an optical disk

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including a combination of all limitations as particularly recited in each of claims 5, 15, 25 and 31. Claims 6-9, 16-20, 26-30 and 32-38 are allowable with their respective parent claim.

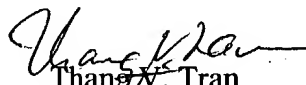
Cited references

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited references relate to an optical reading device, which is for simultaneously reading a plurality of adjacent tracks of an optical disk, having a correction circuit for correcting cross-talk and jitter caused by a track offset of the optical disk.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thang V. Tran whose telephone number is (703) 308-1551. The examiner can normally be reached on M-F 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on 703 305-6137. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Thang V. Tran
Primary Examiner
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